

U. S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.

2023 APR 13 PM 1:07

) Civil Action No. **23-C-0499**
)

Defendants.

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Milwaukee, Milwaukee County, Wisconsin, and the conduct complained of occurred in Milwaukee, Wisconsin.

III. PARTIES

3. Plaintiff is a natural person residing in Milwaukee, Milwaukee County, Wisconsin.

4. Plaintiff is a “consumer” as defined by the Fair Credit Reporting Act, 15 U.S.C. §1681a, (b) and (c).

5. Upon information and belief, Defendant Credit One is a Nevada corporation duly authorized and qualified to do business in the State of Wisconsin.

6. Upon information and belief, Defendant Experian is an Ohio corporation duly authorized and qualified to do business in the State of Wisconsin.

7. Upon information and belief, Defendant Equifax is a Georgia corporation duly authorized and qualified to do business in the State of Wisconsin.

8. Upon information and belief, Defendant Transunion is an Illinois corporation duly authorized and qualified to do business in the State of Wisconsin.

IV. FACTS OF THE COMPLAINT

8. In February 2023, Plaintiff obtained a copy of her consumer report and discovered incomplete, inaccurate, false information furnished by the Defendant, specifically a tradeline by Credit One account number 444796251101****.

9. On or about February 27, 2023, Plaintiff sent written disputes to Defendants disputing the completeness and/or accuracy of the account, specifically the last verified was inaccurate; the date of last activity was inaccurate; the date opened was inaccurate; and, the payment status was inaccurate.

10. Upon information and belief, Defendants Experian, Equifax and Transunion sent a dispute to Credit One providing all relevant disputed information.

11. In April 2023, Plaintiff noticed that the inaccurate account information was still being reported on her consumer report.

12. As a result of the actions and inactions of Defendants, Plaintiff suffered damages, including but not limited to, her FICO scores to be lowered resulting in her being denied credit or being granted credit with a much higher interest rate, severe humiliation, emotional distress and mental anguish.

V. FIRST CLAIM FOR RELIEF
15 U.S.C. § 1681e(b)
(Defendant Credit One, Experian, Equifax and TransUnion)

13. Plaintiff re-alleges and incorporates by reference paragraphs 1-12 above.

14. Defendants Credit One, Experian, Equifax and TransUnion violated 15 U.S.C. § 1681e(b) because they failed to follow reasonable procedures to assure maximum possible accuracy of the Credit One trade line information when preparing a consumer report purportedly concerning Plaintiff.

15. Defendants Credit One, Experian, Equifax and TransUnion have caused injury in fact to Plaintiff by causing mental and emotional distress, damage to credit rating, and other damages to Plaintiff.

16. At all times alleged herein, Defendants Credit One, Experian, Equifax and TransUnion acted negligently and/or willfully.

17. Defendants Credit One, Experian, Equifax and TransUnion is liable to Plaintiff for actual damages, punitive damages and costs pursuant to 15 U.S.C. §1681n and actual damages and costs pursuant to 15 U.S.C. §1681o.

VI. SECOND CLAIM FOR RELIEF
15 U.S.C. §1681i(a)(2)
(Defendants Credit One, Experian, Equifax and TransUnion)

18. Plaintiff re-alleges and incorporates by reference paragraphs 1-17 above.

19. Defendants Credit One, Experian, Equifax and TransUnion have failed to comply with the reinvestigation requirements in 15 U.S.C. §1681i.

20. Defendants Credit One, Experian, Equifax and TransUnion have violated 15 U.S.C. § 1681i(a)(2) in that they failed to consider and forward all relevant information to the CRA's (credit reporting agencies).

21. Defendants Credit One, Experian, Equifax and TransUnion have caused injury in fact, by causing, among other effects, mental and

emotional distress, damage to credit reputation, and resulting in credit damages to Plaintiff.

22. Defendants Credit One, Experian, Equifax and TransUnion have done so either negligently or willfully.

23. Plaintiff is entitled to actual damages, punitive damages and costs pursuant 15 U.S.C. § 1681o.

24. Alternatively, Plaintiff is entitled to actual damages and costs if the violation is negligent, pursuant to 15 U.S.C. §1681n.

VII. THIRD CLAIM FOR RELIEF
15 U.S.C. §1681i(a)(4)
(Defendants Credit One, Experian, Equifax and TransUnion)

25. Plaintiff re-alleges and incorporates by reference paragraphs 1-24 above.

26. Defendants Credit One, Experian, Equifax and TransUnion have violated 15 U.S.C. §1681i(a)(4) in that they failed to delete information that was inaccurate or could not be verified.

27. Defendants Credit One, Experian, Equifax and TransUnion have caused injury in fact to Plaintiff by causing mental and emotional distress, damage to credit rating, and resulting in credit damages to Plaintiff.

28. At all times alleged herein, Defendants Credit One, Experian, Equifax and TransUnion acted negligently and/or willfully.

29. Defendants Credit One, Experian, Equifax and TransUnion are liable to Plaintiff for actual damages, punitive damages and costs pursuant to 15 U.S.C. §1681n and actual damages and costs pursuant to 15 U.S.C. §1681o.

VIII. FOURTH CLAIM FOR RELIEF
15 U.S.C. §1681i(a)(6)(B)(iii)
(Defendants Credit One, Experian, Equifax and TransUnion)

36. Plaintiff re-alleges and incorporates by reference paragraphs 1-35 above.

37. Defendants Credit One, Experian, Equifax and TransUnion have violated 15 U.S.C. § 1681i(a)(6)(B)(iii) in that they failed to have a procedure to prevent giving false information upon re-investigation.

38. Defendants Credit One, Experian, Equifax and TransUnion have caused injury in fact to Plaintiff by causing mental and emotional distress, damage to credit rating, and resulting in credit damages to Plaintiff.

39. At all times alleged herein, Defendants Credit One, Experian, Equifax and TransUnion acted negligently and/or willfully.

40. Defendants Credit One, Experian, Equifax and TransUnion are liable to Plaintiff for actual damages, punitive damages and costs pursuant to 15 U.S.C. §1681n and actual damages and costs pursuant to 15 U.S.C. §1681o.

XII. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests a jury trial and entry of judgment in favor of Plaintiff and against all Defendants for:

- A. Actual or statutory damages pursuant to 15 U.S.C. § 1681n(a)(1)(A).
- B. Actual damages pursuant to 15 U.S.C. § 1681o(a)(1);
- C. Costs pursuant to 15 USC § 1681n(a)(3);

D. For such other and further relief as the Court may deem just and proper.

Dated: April 4, 2023

Respectfully submitted,

By: 

JAMIE MCINTYRE
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Pro Se